

## Maine Revised Statutes

### Title 12: CONSERVATION

#### Chapter 923: FISH: FISHING SEASONS AND RESTRICTIONS

HEADING: PL 2003, c. 414, Pt. A, §2 (new); Pt. D, §7 (aff); c. 614, §9 (aff)

#### §12504. FISHING DERBY PERMITS

**1. Permit required.** Except as provided in sections 12504-A and 12505, a person may not conduct a fishing derby without a valid permit issued under this section.

Each day a person violates this subsection, that person commits a Class E crime for which a minimum fine of \$50 and an amount equal to twice the applicable license fee must be imposed.

[ 2013, c. 358, §5 (AMD) . ]

**2. Application.** A person wishing to conduct a fishing derby shall first make application for and obtain a permit from the commissioner. A completed application for a permit must include the proposed rules, targeted fish species, requested dates, places, times and prize structure for the derby.

[ 2013, c. 358, §5 (AMD) . ]

**2-A. Conditions; restrictions.** The commissioner may place conditions and restrictions on a derby permit.

A. The commissioner may revoke a derby permit issued to or refuse to issue a permit to a club or group that violates a condition or restriction placed on a derby permit or disallow the participation of an individual who violates a condition or restriction placed on a derby permit. [ 2013, c. 358, §5 (NEW) . ]

B. A derby permit does not allow a participant to keep fish alive for entry into the derby. A fish caught as part of the derby, if it is to be retained solely for derby purposes, must be killed at once and becomes part of the participant's daily bag limit. [ 2013, c. 358, §5 (NEW) . ]

[ 2013, c. 358, §5 (NEW) . ]

**3. Rules.** The commissioner shall adopt all necessary rules relative to permits to ensure that derbies are conducted only at such times and places and in such a manner as are consistent with the fisheries management objectives of the department. Such rules must include:

A. Specifying the number of derbies that may be conducted in a given body of water and the dates within which they may be conducted. These rules must be reviewed periodically; and [ 2013, c. 358, §5 (AMD) . ]

B. Fixing the maximum total value of prizes that may be awarded at each derby, except that for a derby held on Sebago Lake in Cumberland County and in conjunction with the department's fisheries management objectives, the maximum total value of prizes may not exceed \$100,000. [ 2013, c. 358, §5 (AMD) . ]

[ 2013, c. 358, §5 (AMD) . ]

**3-A. Violation of rules, conditions or restrictions; penalty.** Except as provided in section 12602, the following penalties apply to violations of rules, conditions or restrictions adopted under this section.

A. A person who violates a rule adopted under subsection 3 or a condition or restriction placed on a derby permit under subsection 2-A commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged. [ 2013, c. 358, §5 (AMD). ]

B. A person who violates a rule adopted under subsection 3 or a condition or restriction placed on a derby permit under subsection 2-A after having been adjudicated as having committed 3 or more civil violations under this Part within the previous 5-year period commits a Class E crime. [ 2013, c. 358, §5 (AMD). ]

[ 2013, c. 358, §5 (AMD). ]

**4. Issuance.** The commissioner, following a determination that an applicant has complied with all rules adopted pursuant to this section, may issue a permit to the applicant authorizing the conduct of the derby. Applicants who have conducted derbies in the requested body of water in the past that have conformed with all rules, conditions and restrictions must be given preference in the issuance of permits.

[ 2013, c. 358, §5 (AMD). ]

**5. Fee.** The fee for a permit to conduct a fishing derby is \$24.

[ 2013, c. 358, §5 (AMD). ]

#### SECTION HISTORY

2003, c. 414, §A2 (NEW). 2003, c. 414, §D7 (AFF). 2003, c. 614, §9 (AFF). 2003, c. 655, §B250 (AMD). 2003, c. 655, §B422 (AFF). 2005, c. 96, §1 (AMD). 2005, c. 495, §1 (AMD). 2013, c. 358, §5 (AMD).

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